

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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Attorneys for Defendant
Medtronic, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY SPICER,

Plaintiff,

vs.

MEDTRONIC, INC., MEDTRONIC PS
MEDICAL, INC. dba MEDTRONIC
NEUROLOGIC TECHNOLOGIES, and Does 1
to 50,

Defendants.

No.: C08-02789 MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER FOR DISMISSAL WITHOUT
PREJUDICE**

IT IS HEREBY STIPULATED by and between plaintiff Jeffrey Spicer and defendant Medtronic PS Medical, Inc., by and through their undersigned attorneys, that pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff's Complaint shall be dismissed without prejudice. Each party shall bear its own costs, fees and expenses, including attorneys' fees, in connection with this voluntary dismissal. Judgment of dismissal without prejudice may be entered hereon pursuant hereto without further notice.

DATED: June 19, 2008.

By /S/ Thomas A. Cohen
Thomas A. Cohen
Attorney for Plaintiff Jeffrey Spicer

DATED: June 19, 2008.

REED SMITH LLP

By /S/ Dana A. Blanton
Sonja S. Weissman
Dana A. Blanton
Attorneys for Defendant
Medtronic Inc.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: ~~June~~ ^{July} 21, 2008



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